# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

939 ELLIS STREET - SAN FRANCISCO, CALIFORNIA 94109

Approved Minutes: Advisory Council Regular Meeting – November 9, 2005

# **CALL TO ORDER**

Opening Comments: Chairperson Zamora called the meeting to order at 10:05 a.m.

Roll Call: Present: Brian Zamora, Chair, Sam Altshuler, P.E., Louise Bedsworth, Ph.D., Ken

Blonski, Jeffrey Bramlett, Harold M. Brazil, Irvin Dawid, Emily Drennen,

Fred Glueck, Stan Hayes, John Holtzclaw, Ph.D., Kraig Kurucz.

Absent: Cassandra Adams, Diane Bailey, Bob Bornstein, Ph.D., William Hanna,

Kevin Shanahan, Victor Torreano, Linda Weiner.

Introduction of New Chairperson Zamora introduced Ken Blonski, the new Advisory Council

Advisory Council Member: member in the "Regional Park District" category.

**PUBLIC COMMENT PERIOD:** Chairperson Zamora introduced Marland Townsend, Chairperson of the District's Board of Directors. Mr. Townsend thanked the Council for its advice to the District staff and Governing Board. He noted that he will be leaving political office in February of 2006 and stated that working at the District has been a memorable experience. In reply to questions, Mr. Townsend stated:

- a) the information contained in the Council's minutes is important to the Board, and the process by which the Board receives and reviews Council minutes is currently under review.
- b) the Council's recent recommendation on climate change was the driving force behind the Governing Board's adoption of a resolution on this matter.
- c) the Council's expertise is best applied to broad policy subject areas rather than to internal District processes.

### **CONSENT CALENDAR:**

1. Approval of Minutes of September 14, 2005. Dr. Bedsworth requested that on page three, item (a) the phrase "on that day" be added to the end of the sentence. Mr. Dawid moved approval of the minutes as corrected; seconded by Dr. Holtzclaw; carried unanimously.

#### ADOPTION OF CODE OF CONDUCT FOR ADVISORY COUNCIL:

2. Code of Conduct. Chairperson Zamora briefly reviewed the proposed Code of Conduct, noting it was edited through the course of several Council Executive Committee meetings held this year, and highlighted the sections and key areas of background. In discussion, Mr. Dawid inquired if Councilmembers can speak for themselves at a Board meeting by noting that that they are members of the Advisory Council but are not speaking on behalf of the Council. Chairperson Zamora stated that stating an association with the Council is not advisable because it infers the Council's sanction of a given view. It is preferable instead to note one's professional affiliation in speaking to the Board.

Dr. Holtzclaw suggested that the articles in the Code be renumbered sequentially. Mr. Altshuler requested that his personal information on the membership roster be inaccessible to an Internet search engine. Dr. Bedsworth requested that presentations given to the Council be identified at the meeting at which they are given as being either in the public domain or proprietary. Mr. Altshuler moved adoption of the Code of Conduct, as modified; seconded by Mr. Glueck; carried unanimously.

### **AIR DISTRICT OVERVIEW:**

3. Report of the Executive Officer/APCO. Jack P. Broadbent, Executive Officer/Air Pollution Control Officer (EO/APCO) stated that this year's ozone season has registered no excesses of the national 1-hour standard; one excess of the national 8-hour standard; nine excesses of the state 1-hour standard; and eight excesses of the state 8-hour standard. The proportion of exceedances in other major California air basins is similar, though the numbers are different in each basin. The dialogue between the District and its neighboring air districts continues on the issue of pollutant transport.

In reply to questions, Mr. Broadbent stated that, regarding the District's Spare the Air program, an increase of about 7% in ridership was measured on the one Spare the Air day called during this ozone season. The District has proposed that the funds allocated for free transit on Spare the Air days this summer, but not yet allocated, be encumbered to the next ozone season. The governing board of the Metropolitan Transportation Commission (MTC) will consider this proposal in the near future. Mr. Dawid requested that Houston be included in charts comparing ozone excesses in other California air districts. Ms. Drennen recommended that the free transit be extended to the morning and evening commutes. Jean Roggenkamp, Deputy APCO, replied that this is also under discussion. Mr. Broadbent added that the 2005 Ozone Strategy will be presented to the Governing Board for adoption on December 21, 2005. The remaining rules in the 2001 Ozone Plan—on marine loading operations and pressure relief devices—will be heard by the Governing Board later this month.

Regarding particulate matter (PM), Mr. Broadbent stated that the District is concerned about potential increases in wood smoke in light of recent petroleum fuel cost increases. Ms. Roggenkamp noted that PM derives from on-and off-road vehicles and equipment, wood burning, power plants, industrial facilities and fugitive dust, as well as from secondary formation from precursor pollutants. Adverse PM health effects include aggravated asthma, coughing and painful breathing, decreased lung function, chronic bronchitis, and aggravated cardiac symptoms. The District has attained the national but not the state PM10 and PM2.5 standards. The highest PM levels are recorded in the winter due to temperature inversions, ammonium nitrate and emissions from wood burning. Major sources of PM in the Bay Area include mobile sources, wood burning, power plants, industrial facilities, and fugitive dust.

District PM reduction activities include Regulation 5 – Open Burning; Regulation 6 – Particulate Matter and Visible Emissions, Regulations 8, 9 and 12 on Volatile Organic Compounds (VOCs), Nitrogen Oxide (NOx), and Sulfur Oxide, respectively. Mobile Source Incentive programs include Carl Moyer, Transportation Fund for Clean Air (TFCA), Vehicle Incentive Program, Vehicle Buy-Back program, Low Emission School Bus, and Solid Waste Collection Vehicles.

Other PM reduction efforts include wood burning mitigation with the Spare the Air Tonight program, a model wood burning ordinance, and various incentives to replace high polluting wood burning appliances. The Community Air Risk Evaluation (CARE) program addresses on a region-wide basis the concentration of toxic air contaminant in an effort to identify areas of high concentrations, as well as to mitigate diesel PM and develop emission reduction strategies.

New PM control measures are being proposed by the District. These arise out of SB 656 which directs the California Air Resources Board (CARB) to assemble a list of PM control measures in the state, and then to direct each air district in the state to review the list, identify the measures not implemented or planned to be implemented and then consider a PM regulatory implementation schedule. The District will also lower the threshold for calling a Spare the Air Tonight advisory.

The District will also work closely with cities and counties on the model wood smoke ordinance, as well as sponsor radio and television ads, op-ed pieces and promotional events. A pilot project to collect data on PM levels in areas where wood burning is likely to accumulate will take place this year. District staff will utilize hand held monitors for this purpose.

The District will also analyze PM filters to identify PM sources and enhance the District's understanding of the PM problem. A wood burning survey will also be conducted this winter in order to improve the accuracy of the emissions inventory. Although residential fires for heating and cooking are exempt from regulation, inspectors can respond to complaints by providing educational materials to both to complainants and neighbors.

Mr. Broadbent encouraged the Council to consider the foregoing subject area at the January 2006 Retreat. Mr. Glueck suggested providing incentives for wood burning mitigation, such as free transit passes, particularly with the recent increases in gasoline prices. Mr. Altshuler noted that in the last six months parking spaces at BART have increased and seating on BART trains decreased, suggesting impacts from petroleum fuel cost increases have indicators in the public transit sector. Mr. Dawid stated that he would forward to the Council some newspaper articles that address this issue.

Mr. Altshuler stated that over the years particulate matter has been addressed through such categories as coefficient of haze, total suspended particulate, PM10 and PM2.5, with PM1 and PM.1 not far on the horizon. While ambient concentrations of ammonium nitrate influence fine particle formation, there is no literature on its health effects, if any. More research should be conducted on this subject—in light of the call from the Air Resources Board for research on this topic—in order to make sure that the regulatory path that will be pursued is the one that will address any health effects.

Mr. Broadbent responded that ammonium nitrate is a pervasive problem chiefly in the Central Valley. Mr. Dawid inquired if there were consequences for air districts that fail to attain the national PM standards. Ms. Roggenkamp responded that the same penalties would apply to an air district that fails to attain the national ozone standard.

Chairperson Zamora suggested that the District consider partnering with communities wishing to self-police emissions from wood burning. He offered to look into obtaining county funding to assist with such a project. Mr. Broadbent added that a similar idea has been proposed by groups in Marin and Sonoma counties, in which community members would go to the door of a residence and place a hanger on the door knob with data on the health effects of wood smoke. Chairperson Zamora opined that the pressure of neighborhood groups can prove to be stronger than a regulation. Ms. Roggen-kamp added that staff is developing protocols for inspectors investigating wood burning complaints as part of the District's wintertime pilot program on wood smoke abatement.

Mr. Broadbent noted that the District is celebrating its 50<sup>th</sup> anniversary year, and held a symposium in the summer. On November 10, a dinner celebrating the District's 50 years of success will be held in the East Bay for employees, Board, Advisory Council and Hearing Board members.

#### COMMITEE REPORTS AND RECOMMENDATIONS

- 4. Joint Technical & Air Quality Planning Committee Meeting of October 12, 2005. Dr. Holtzclaw stated that the two Committees received presentations on the Community Air Risk Evaluation (CARE) program regarding the first application of emission inventory data to a gridded map of the counties in the District's jurisdiction. Further refinement of the data will take place in order to obtain a more accurate picture of areas of exposure to toxic air contaminants. Mr. Hayes noted that 2x2 kilometer resolution can be potentially too coarse for evaluating facility concentrations, and that the chrome speciation issue deserves more attention as most chrome is trivalent rather than hexavalent.
- 5. Public Health Committee Meeting of October 24, 2005. There was no report.
- **6.** Executive Committee Meeting of November 9, 2005. Chairperson Zamora noted that this morning the Committee met and unanimously proposed the following slate of Officers for the Advisory Council Officers in 2006: Kraig Kurucz Chairperson; Fred Glueck Vice-Chairperson; Louise Bedsworth, Ph.D. Secretary. Dr. Holtzclaw moved adoption of the slate of Officers, as proposed; seconded by Mr. Hayes; carried unanimously.

# **OTHER BUSINESS**

- 7. Report of Advisory Council Chair. Chairperson Zamora stated that at the October 19, 2005 Regular Meeting of the Board, "Regional Park District" category member Ken Blonski was appointed to the Council. At the October 12, 2005 meeting of the Board of Directors Executive Committee, the Council's report on Indoor Air Quality was favorably received and will be forwarded to the Board's Public Outreach Committee. The Board was also interested in the Council's work on its Code of Conduct. Interviews for the "Public Health Agency" vacancy on the Council will take place on November 17<sup>th</sup>. An additional vacancy in the "Transportation" category has been created by Kevin Shanahan who has indicated he intends to resign but will remain on the Council until his successor is appointed.
- **8.** Council Member Comments/Other Business. The Council members thanked Chairperson Zamora for his leadership of the Council in 2005. Mr. Broadbent expressed his concurrence on behalf of staff.
  - Mr. Hayes announced that a speciality conference on global warming will be held at the San Francisco Sheraton Hotel from March 7-9, 2006. The District will be a co-sponsor for this event.
- **9.** Time and Place of Next Meeting. 10:00 a.m., Wednesday, January 11, 2006, 939 Ellis Street, San Francisco, CA 94109.
- **10. Adjournment.** The meeting was adjourned at 11:46 a.m.

James N. Corazza

James N. Corazza Deputy Clerk of the Boards